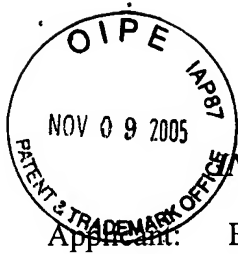


IFW



Atty. Dkt. No. 054446-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brad DUESLER

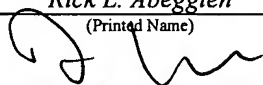
Title: METHOD AND APPARATUS FOR  
BEVERAGE MERCHANDISING

Appl. No.: 10/679,705

Filing Date: 10/3/2003

Examiner: Cassandra Hope Davis

Art Unit: 3611

<p align="center"><b><u>CERTIFICATE OF MAILING</u></b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p align="center"><u>Rick L. Abegglen</u> (Printed Name)</p> <p align="center"> (Signature)</p> <p align="center"><u>November 7, 2005</u> (Date of Deposit)</p>
--

**AMENDMENT TRANSMITTAL**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[ ] Assertion of Small Entity status is enclosed.

[ X ] The fee required for additional claims is calculated below:

	Claims		Previously		Extra Claims		Rate		Additional
	As		Paid For		Present				Claims Fee
	Amended								
Total Claims:	4	-	20	=	0	x	\$50.00	=	\$0.00
Independent	4	-	5	=	0	x	\$200.00	=	\$0.00
Claims:									
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL									\$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$0.00

☐ Please charge Deposit Account No. 50-2350 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$0.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17 to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

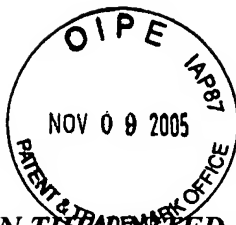
Respectfully submitted,

Date November 7, 2005

By 

FOLEY & LARDNER LLP  
Customer Number: 23524  
Telephone: (608) 258-4268  
Facsimile: (608) 258-4258

Rick L. Abegglen  
Attorney for Applicant  
Registration No. 47,371



Atty. Dkt. No. 054446-0105

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brad DUESLER

Title: METHOD AND APPARATUS FOR  
BEVERAGE MERCHANDISING

Appl. No.: 10/679,705

Filing Date: October 3, 2003

Examiner: Cassandra Hope Davis

Art Unit: 3611

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.</p> <p><u>Rick L. Abegglen</u> (Printed Name)</p> <p><u>[Signature]</u> (Signature)</p> <p><u>November 7, 2005</u> (Date of Deposit)</p>
---

**AMENDMENT AND REPLY**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam or Sir:

This communication is responsive to the Non-Final Office Action that was mailed September 9, 2005 concerning the above-referenced patent application. This response is being filed less than three months from the mailing date of the Office Action, so it is believed to be timely without extension.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 4 of this document.

Please amend the application as follows: